

FEB 17 2004

PATENT & TRADEMARK OFFICE



Attorney Docket: FHR-102

Declaration for Patent Application and Power of Attorney

I, the below named inventor, I hereby declare that my residence, post office address, and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one is listed) or an original, first and joint inventor (if plural names are listed) of the subject matter which is claimed and for which a patent is sought on the invention described in the application No. entitled Open Community Model for Exchanging Information in Dynamic Environments.

| | | | | |
|-------------------------|-----------------|--------------------------------------|--------------|----|
| First or Sole Inventor: | Full name: | FREDERICK HAYES-ROTH | Citizenship: | US |
| | Residence: | 54 Marianna Lane, Atherton, CA 94027 | | |
| | Postal Address: | Same as above | | |

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| PRIOR FOREIGN APPLICATION(S) | | | | |
|------------------------------|--------------------|----------------|---|-----------------------------|
| Country | Application Number | Date of Filing | Priority Claimed Under 35 U.S.C. §119 | |
| NONE | | | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| PRIOR U. S. APPLICATION(S) | | | | |
|----------------------------|-------------|---|-----------------------------------|----------------------------------|
| Application No. | Filing Date | Status | | |
| NONE | | <input checked="" type="checkbox"/> Provisional | <input type="checkbox"/> Patented | <input type="checkbox"/> Pending |

I hereby appoint Thomas J. McFarlane, Reg. No. 39,299, Marek Alboszta, Reg. No. 39,894, Katharina Wang Schuster, Reg. No. 50,000, Ron Jacobs, Reg. No. 50,142, Bertram Rowland, Reg. No. 20,015, Tianhua Gu, Reg. No. 52,480 as my agents with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. Direct all correspondence to:

Marek Alboszta
2345 Yale Street, 2nd Floor
Palo Alto, CA 94306
tel: (650) 424-0100
fax: (650) 424-0141

The attorney docket number for this case is: **FHR-102**.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURE(S)

Frederick Hayes-Roth

Date



Attorney Docket No: **FHR-102**

POWER OF ATTORNEY BY ASSIGNEE

The undersigned assignee of the entire interest in the application No. **10/678,607** for Letters Patent for the invention entitled:

Open Community Model for Exchanging Information in Dynamic Environments

by virtue of Assignment recorded concurrently herewith hereby appoints Thomas J. McFarlane, Reg. No. 39,299, Marek Alboszta, Reg. No. 39,894, Katharina Wang Schuster, Reg. No. 50,000, Ron Jacobs, Reg. No. 50,142, Tianhua Gu, Reg. No. 52,480 as its agents to prosecute the attached application and to transact all business in the Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventor(s) and their attorney(s) in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice.

Please direct all communication relative to said application to the following correspondence address:

Marek Alboszta
Lumen
2345 Yale Street, 2nd Floor
Palo Alto, CA 94306
tel: (650) 424-0100
fax: (650) 424-0141

I am duly authorized to sign this instrument on behalf of assignee corporation. I hereby declare that, to the best of my knowledge and belief, title is in the assignee herein, and I affirm review of the Assignment document concurrently submitted and believe that the attached application has been assigned to assignee herein and that assignee therefore has the right to make this Power of Attorney and Exclusion of Inventor(s).

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ASSIGNEE:

The Hayes-Roth Family Trust

54 Marianna Lane
Atherton, CA 94027

Official Authorized to Act on Behalf of Assignee:

Signature: Fredrick Hayes-Roth
Name: FREDRICK HAYES-ROTH
Title: TRUSTEE

12/15/03
Date